

United States District Court  
for the  
Southern District of New York  
Related Case Statement

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Full Caption of Later Filed Case:

Plaintiff United States of America vs. Village of Airmont	Case Number 20 Civ. 10121
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Plaintiff Central UTA of Monsey, Congregation Yetev Lev of Monsey, et al. vs. Village of Airmont, New York; Philip Gigante; et al.	Case Number 18 Civ. 11103 (VB)
Defendant	

## Status of Earlier Filed Case:

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Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The earlier filed case is in discovery after the Court granted in part and denied in part the Defendants' motion to dismiss the First Amended Complaint by opinion and order dated January 23, 2020. The Court held that the Plaintiffs' claims against Village of Airmont defendants under the Religious Land Use and Institutionalized Persons Act ("RLUIPA") were adequately pleaded and may proceed.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The United States brings this new action against one of the defendants named in the earlier action, the Village of Airmont, alleging some of the same facts and circumstances as those alleged by the Plaintiffs in the earlier action and asserting causes of action also under RLUIPA concerning the same zoning code and land use practices.

This new action is related for the same reasons to a second case currently pending in this District, *Congregation of Ridnik et al. v. Village of Airmont et al.*, 18 Civ. 11533 (NSR), but the Ridnik case was filed later in time and was not marked as related to the first filed matter.

Signature: /s/ Stephen Cha-Kim

Date: Dec. 2, 2020

Firm: U.S. Attorney's Office, Southern District of  
New York